



PATENT

Attorney Docket No. CASE-03330

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Richard P. Woychik *et al.*

Serial No.: 09/103,846

Group No.: 1632

Filed: 06/24/98

Examiner: Woitach, J.T.

Entitled:

ALLELIC SERIES OF GENOMIC MODIFICATIONS IN CELLS

PRELIMINARY AMENDMENT AND  
RESPONSE TO FINAL OFFICE ACTION

RECEIVED

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

DEC 23 2003

TECH CENTER 1600/2900

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: December 15, 2003

By:

  
Traci E. Light

Sir or Madam:

Please enter the following Preliminary Amendment on the record in response to the Final Office Action mailed on July 14, 2003. This Preliminary Amendment is in support of the Request For Continued Examination which is submitted herewith. A Petition For A Two Month Extension Of Time is also enclosed.

On page two of this communication please find a status of all claims with instructions for entry pursuant to revised 37 CFR § 1.21. On page four of this communication please find replacement paragraphs to the specification with instructions for entry pursuant to revised 37 CFR § 1.21.

DEC 18 2003

PTO/SB/30 (5/2000)

Approved for use through xx/xx/xxxx. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

RCE/1600

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

|                        |                    |
|------------------------|--------------------|
| Application Number     | 09/103,846         |
| Filing Date            | 06/24/98           |
| First Named Inventor   | Richard P. Woychik |
| Group Art Unit         | 1632               |
| Examiner Name          | Joseph T. Witach   |
| Attorney Docket Number | CASE - 03330       |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114**

- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - iii.  Other \_\_\_\_\_
- b.  Enclosed
  - i.  Amendment/Reply
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Other Extension of time (2 months)

**2. Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b.  Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

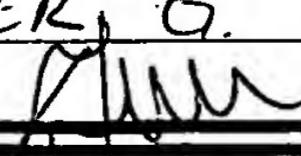
- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 08-1290
  - i.  RCE fee required under 37 C.F.R. § 1.17(e) 12/19/2003 MGEBRM1 00000041 081290 09103846
  - ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 385.00 OP
  - iii.  Other \_\_\_\_\_ 01 FC:2801
- b.  Check in the amount of \$ 505. - enclosed
- c.  Payment by credit card (Form PTO-2038 enclosed)

**RECEIVED**

DEC 23 2003

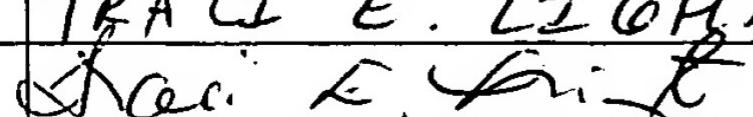
TECH CENTER 1600/2900

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                   |  |                                   |                   |
|-------------------|--|-----------------------------------|-------------------|
| Name (Print/Type) | PETER G. CARROLL   | Registration No. (Attorney/Agent) | 32,837            |
| Signature         |  | Date                              | December 15, 2003 |

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

|                   |  |      |                   |
|-------------------|--|------|-------------------|
| Name (Print/Type) | TRACI E. LIGHT   | Date | December 15, 2003 |
| Signature         |  | Date | December 15, 2003 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES and Completed Forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231.